

**United States District Court
Northern District of New York**

Jennifer Rena Rogers, <i>Plaintiff,</i>)	Case 5:20-cv-01262-GTS-DJS
)	
)	Glenn T. Suddaby
vs.)	Chief Judge
)	
Kilolo Kijakazi, Acting Commissioner of the Social Security Administration, <i>Defendant.</i>)	Daniel J. Stewart
)	United States Magistrate Judge
)	

**STIPULATION AND ORDER TO AWARD FEES UNDER
THE EQUAL ACCESS TO JUSTICE ACT (EAJA)**

The parties submit this stipulation in response to plaintiff's motion for attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) (Doc. 22).

The undersigned counsel have reviewed the file, litigation history and fee petition in this case. After discussing the petition, the parties have agreed to resolve the matter of entitlement to attorney fees by stipulation. Specifically:

IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the parties in the above-titled action that plaintiff is awarded attorney fees in the amount of **\$6,500.00** in full satisfaction and settlement of any and all claims plaintiff may have under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. This award accounts for any claim for EAJA fees, expenses and costs.

Any fees paid belong to plaintiff, and not to her attorney, and may be offset to satisfy any pre-existing debt that plaintiff owes the United States under *Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521 (2010). After the Court enters this award, if counsel for the defendant can verify that plaintiff owes no pre-existing debt subject to the offset, defendant will direct that the award be

made payable to plaintiff's attorney pursuant to the EAJA assignment duly signed by plaintiff and counsel (Doc. 22-3).

Respectfully Submitted,

Kilolo Kijakazi,
By Her Attorneys

Carla B. Freedman,
United States Attorney

/s/ Luis Pere

Luis Pere
Special Assistant United States Attorney
N.D.N.Y. Bar Roll No. 701031
Social Security Administration, OGC
J.F.K. Federal Building, Room 625
Boston, MA 02203
(877) 405-4870
Luis.pere@ssa.gov

Jennifer Rena Rogers,
By Her Attorney

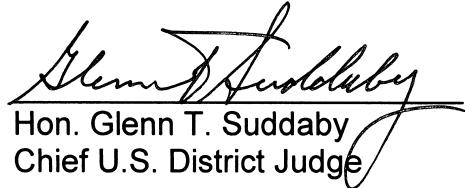
/s/ Justin M. Goldstein¹

Justin M. Goldstein
Law Offices of Kenneth Hiller, PLLC
6000 North Bailey Avenue - Suite 1A
Amherst, NY 14226
(716) 564-3288
jgoldstein@kennethhiller.com

AND, the Court having reviewed this matter,

IT IS So Ordered:

Date: 12/6/2021


Hon. Glenn T. Suddaby
Chief U.S. District Judge

¹ Signed by Luis Pere with Justin M. Goldstein's permission.